

MEMORANDUM OF UNDERSTANDING

Department of Computer Services
Southern District of Georgia

MISCELLANEOUS CASE NO. 100-20

U. S. DISTRICT COURT
Southern District of GA

Filed In Office

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Deputy Clerk

I. Explanation of the Department of Computer Services

The United States District Court for the Southern District of Georgia ("Court") will create the Department of Computer Services ("DCS") to manage the information technology ("IT") needs of the Court. These needs include the management of all computer-related items (software and hardware), telephone equipment (to include cell phones), satellite and cable TV equipment, technology training, IT Security, and support of the Court and its agencies. IT staff will focus on specific technical areas instead of agency specific areas to achieve greater efficiencies in procurement and human resources.

II. Mission Statement

The DCS shall provide a level of technical service that exceeds the expectations of the Court, and the necessary vision, strategic planning, and direction to support and enhance the operation of all court units.

III. Organization of the Department

The unit manager of the DCS is the Board of Managers ("Board"). The Board shall consist of the Chief United States District Judge, the Clerk, United States District Court ("District Court Clerk"); the Clerk, United States Bankruptcy Court ("Bankruptcy Clerk"); and the Chief United States Probation Officer. The Chief Bankruptcy Judge and

one United States Magistrate Judge (serving in rotation) will serve as participating, non-voting members. The Board will appoint a Chief Technology Officer ("CTO") to conduct the affairs of the DCS and to implement the policies of the Board. DCS will include the full complement of professional technical positions formerly allocated to the various agencies of the Court. Positions such as data quality analyst or similar positions designed to assist in operational support are not part of DCS. DCS will consist of three distinct operation sections: (1) customer service and support; (2) applications development and deployment; and (3) IT Security, network, systems and facilities. Additional technical staff will be assigned to each section and they will report to the appropriate supervisors.

IV. Role of the Board of Managers for the Department of Computer Services

The Board shall develop policies and procedures, make final decisions on personnel matters, and approve procurement of items exceeding the DCS budget. The Board will select the Chief Technology Officer ("CTO"). Upon recommendation of the CTO, the Board will determine the priority of DCS projects for the Court. The Board will exercise final authority over the organization and/or reorganization of DCS. The Board members primarily responsible for meeting on a regular basis and running DCS are the District Court Clerk, the Chief United States Probation Officer, and the Bankruptcy Clerk. From time to time, the Chief United States District Judge, the Chief Bankruptcy Judge, and a designated United States Magistrate Judge also will meet to discuss the general operation of DCS. The District Court Clerk, the Bankruptcy Clerk, and the Chief United States

Probation Officer will meet at least once a week with the CTO to make general operating decisions for the unit.

V. The Role of the Chief Technology Officer

The Chief Technology Officer is responsible for the day-to-day operations of DCS and will report directly to the Board. The CTO will provide strategic planning, technical vision, project management, management of the technical staff, and will work closely with the Board to ensure proper distribution of the Court's technical resources. The CTO will attend Board meetings, will maintain a list of project requests, and will submit recommendations on the priority of each project to the Board for review and final approval. By October 1 of each year, the CTO will prepare a preliminary spending plan that falls within the cumulative technical budget of the Court. An initial plan shall be submitted to the Board by May 30 of each year to correspond with the budget call. Following receipt of full-year allotments from the Administrative Office of the United States Courts ("AOUSC"), the CTO will prepare a final spending plan for consideration by the Board. The CTO shall make personnel recommendations to the Board. The CTO shall assign projects to the staff, approve leave requests, and approve travel vouchers. The CTO is authorized to make purchase requests in accordance with such delegation of procurement as may be assigned by the Board. The CTO shall report all procurement activity to the Board as soon as possible. The CTO shall attend management meetings at the direction of each unit executive and provide monthly reviews of the pending and completed job assignments by the DCS staff.

VI. Financial Operations

A. Budget Call – Spring – Development of Department of Computer Services

Budget for Next Fiscal Year

In early spring, after the completion of the second quarter of the fiscal year, the CTO will evaluate and analyze the funds expended by DCS and then project the budget for the next fiscal year.

B. Approval of Budget Call

Once the budget call is formulated, it will be submitted to the Board for approval.

C. Spending Plan – After Receipt of Annual Allocation

After receipt of the annual allocation of funding and its subsequent reprogramming from the other court units to DCS, the CTO will develop a spending plan based upon the available funds.

D. Approval of Spending Plan

After developing the spending plan for the next fiscal year, the CTO will submit the plan to the Board for approval.

E. Reprogramming of Funds by Unit Heads to District Court

Once the annual funding allotment of each court unit has been made, each court unit will reprogram its share of the DCS funding through InfoWeb. The Budget Division of the AOUSC will transfer this information to the Court as BOC 1100

for Fund 092000, or 2000 for funds 51140X and 51140E. To fund the DCS operating budget, this reprogramming should be completed by the close of five working days after October 1.

F. Report of Status of Funds of Department of Computer Services to Chief Technology Officer and Board of Managers by District Court Financial Administrator by 'Budget Obligation Classification of Each Account' ("BOC")

The Financial Administrator for the Court will produce a Consolidated Status of Funds Report for DCS and District Court to the Budget Division of the AOUSC. An individual report for the DCS unit shall be prepared and submitted to the Board of Managers. For the first three quarters of the fiscal year, this report will be submitted once per quarter. During the fourth quarter, the report shall be submitted monthly. This report will not include the voice information technology series of the BOC's.

VII. Personnel

A. Appointing Authority

DCS will operate as an individual unit and for funds management and payroll purposes, the personnel of DCS will be assigned as staff of the District Court Clerk's office. However, the designation of "DCS" will appear after the title of any individual assigned to DCS. The appointing authority for the DCS personnel is the Chief United States District Judge for the Southern District of Georgia. The District Court Clerk shall have authority to sign personnel and payroll paperwork

except for appointment and separation documents which will be signed by the Chief United States District Judge. The reprogramming of payroll funds to the Court by the unit heads is covered in Section VII.E.

B. Allocation of Work Units

The Administrative Office of the United States Courts will allocate work units to the individual court units based upon existing or future formulas for each unit. The staffing levels in DCS will be based on the workload demands of the Court. Any changes in the number of work units assigned to DCS shall be approved by the Board. The total number of personnel assigned to DCS is 8. Should a court unit receive a reduction in work units or other allotment areas for a fiscal year, the Board will determine whether alternate funding from another court unit or a reduction in the DCS work units or operation costs is appropriate for the affected fiscal year.

C. Handling of Lapsed Funds

From time to time, vacancies will exist in DCS. The personnel funds accumulated because of these vacancies shall be computed by the District Court Clerk. Any lapsed funds resulting from the vacancy shall be returned to the unit which originally funded the position only after the Board of Managers has determined that there are no other unfunded requirements of the DCS that are of a higher priority. This computation and refund of funds to the sponsoring agency shall be completed by August 15.

D. Salary Spending to the approved by Board of Managers

The Board shall determine all salaries, promotions, and personnel actions for the DCS staff. If a written description of a position becomes necessary, the District Court Clerk shall have the responsibility of creating corresponding certification sheets to promote or to set a position different from one already in existence. After this change has been approved by the Board, the District Court Clerk will prepare the necessary paperwork and shall submit it to the AOUSC along with a Request for Personnel Action.

E. Reprogramming of Salary Funds to the Court

After the allocations have been made to the Court by the AOUSC, each unit head shall promptly reprogram all funds to cover the payroll of his or her DCS unit. Unless changed by the Board, the pro rata share of each court unit shall remain constant. In the event of a continuing resolution, the CTO will present an interim spending plan to the Board for approval. Upon unanimous consent of the Board, funding for the interim spending plan will be proportionally allocated among each court unit.

F. Personnel Files

All personnel files for the DCS staff shall be housed in the personnel records of the District Court Clerk. Personnel actions for DCS staff shall be prepared by the District Court Clerk after approval by the Board. Employment documents,

including, the SF199A, Direct Deposit Sign-up, Health and Life Insurance Election, shall be processed by the District Court Clerk.

G. Travel of the DCS Staff

DCS shall receive travel funding from each court unit. The Board shall meet at the beginning of the fiscal year to determine the travel funding. The unit head shall then reprogram to the District Court Clerk Travel Budget Object Code the appropriate share of the travel funds. It is anticipated that travel funding for DCS shall be shared equally among the three court units.

H. Training

Funding for training of DCS staff shall be divided equally among the three units. This amount shall fall within the approved DCS Spending Plan for the fiscal year. From time to time, there may be exceptions to this rule. For specialized training in CMECF, PACTS, and other unit specific programs, the Board may require the unit using the operating program to bear its costs.

VIII. Employee Dispute Resolution Plan

The employees of DCS shall be included within the Employee Dispute Resolution Plan adopted by the Court on November 20, 1998, which became effective on January 1, 1999. For EDR Plan purposes, DCS employees shall be considered employees of a separate and distinct court unit known as "Department of Computer Services" of which the unit manager shall be the "Board of Managers." The EDR coordinator for DCS shall

be the EDR coordinator for the court, or a special alternate EDR coordinator as may be designated by the Chief United States District Judge. All proceedings and procedures relative to the EDR Plan shall occur within DCS as a separate court unit. The complaint and any other documents shall be reviewed by the Chief United States District Judge and, if the complaint is not dismissed, the Chief United States District Judge will serve as the hearing officer. The EDR Plan of the Court shall be amended accordingly.

IX. Procurement for Department of Computer Services (DCS)

A. Purchase Orders

Procurement for DCS will be somewhat different from normal procurement procedures because DCS is managed by a Board of Managers rather than an individual unit head. Because of DCS's unique mission and the necessary reprogramming of funds from the court unit managers to the District Court Clerk, the District Court Clerk's Court Procurement Administrator will prepare all purchase orders relating to DCS.

B. Funding

Funding of all purchase orders for DCS will be made from the allocations received from the AOUSC and reprogrammed to the Court by the three unit managers for DCS. Automation equipment procurement will be taken in its entirety from the BOCs under the Clerk's funding 51140X and 51140E. Purchase orders prepared for furniture and related items shall be equally funded by the United States District Court, United States Probation Office, and the Bankruptcy

Court. These purchase orders will divide the cost of these items equally from each unit's fund 092000, or the appropriate Budget Object Code ("BOC") of each unit.

C. Role of Board of Managers

The Board of Managers ("Board") has the ultimate responsibility of ensuring that any procurement aids DCS in achieving its mission. The Board shall ensure that all procurement guidelines and procedures are followed by the CTO and procurement personnel. No decisions for major procurement shall be made without the Board's approval. The Board shall have the final authority over any acquisition that exceeds the funding limit or "cap" the Board established for the CTO. In case the Board is unable to reconcile any differences of opinion, the final decision on procurement shall be made by the Chief United States District Judge.

D. Role of Chief Technology Officer

The CTO will make recommendations to the Board of all the equipment, furniture, and supplies needed for DCS to accomplish its mission. The CTO shall present to the Board long range plans and goals concerning DCS and automation advances. The CTO should solicit recommendations from DCS staff about equipment and furnishings needed by its sections. After the Board has approved any purchase request, but before submitting the request to the Court Procurement Administrator, the CTO shall obtain, if required, at least three competitive bids.

The CTO and DCS staff shall carefully follow the procurement guidelines when requesting equipment, furniture, and supplies. From time to time, the Board shall establish a limit or "cap" of the dollar amount under which the CTO may purchase needed items for DCS units without consulting the Board.

E. Equipment

Request for all major equipment shall be submitted to the Board by the CTO. The CTO shall request only such equipment that is necessary for DCS to accomplish its mission. From time to time, the CTO shall submit recommendations on equipment needed for future improvements in DCS. After any procurement has been approved by the Board, the District Court Clerk shall issue the purchase order.

F. Furniture

The court units shall jointly fund the purchase of furniture and supplies for DCS. Since this money is not reprogrammed to the Court, all purchases of this kind shall be shared equally among each court unit. After the Board approves any procurement, the District Court Clerk shall issue the purchase order without the necessity of obtaining additional signatures; provided, however, that copies of any purchase order bearing only the Clerk's signature shall be provided to the full Board.

X. Inventory of Equipment

A. Procedure

DCS will maintain an equipment inventory. The CTO, with approval of the Board may appoint a DCS Custodial officer. The inventory records shall be maintained and cross-referenced with the Court Procurement Administrator. A physical inventory will be completed at least every other year beginning October 1, 2000. The CTO may delegate the responsibility of physically receiving inventory to the DCS Custodial Officer. The Custodial Officer will sign for any acquired property or equipment and notify the Court Procurement Administrator of its arrival. The Custodial Officer will sign receiving reports and assign inventory control numbers. This paperwork shall be forwarded to the CTO who will review it and notify the Court Procurement Administrator of its receipt. The Court Procurement Administrator will then order the appropriate individual to prepare the voucher for payment.

B. Responsibility for Receiving and Numbering

DCS Custodial Officer shall ensure that all existing and newly received property appears on a current property list. All accountable property must be properly identified, inventoried, assigned, receipted, and entered on DCS property list. This procedure should be followed for all items which cost \$250.00 or more, or as required by Court policies. DCS Custodial Officer should inspect all received property items for damage at the time the item is received. If appropriate, an equipment tag can be placed on an item of equipment at that time. Newly

received items should be entered into the property list within forty-eight hours of receipt. The DCS Custodial Officer shall also have custody and control over any stored items. A group of inventory numbers from the Court shall be assigned to the DCS Custodial Officer by the Court Procurement Administrator.

C. Responsibility of Maintaining the Inventory

The DCS Custodial Officer should receive all IT equipment, place an identification tag upon each item, inform the Court Procurement Administrator of receipt, deliver the equipment to the user, or place it in storage for future use. Finally, the DCS Custodial Officer should enter the appropriate information into DCS equipment inventory. With input from the CTO, the Court Procurement Administrator shall coordinate the inventory duties of the DCS Custodial Officer.

D. Responsibility for Receiving and Numbering

The DCS Custodial Officer should receive all IT equipment, inspect it, deliver to the user, enter the items into inventory, and inform the Court Procurement Administrator of its arrival. The DCS Custodial Officer may perform the same duties with respect to any equipment assigned to or used by the Custodial Officer.

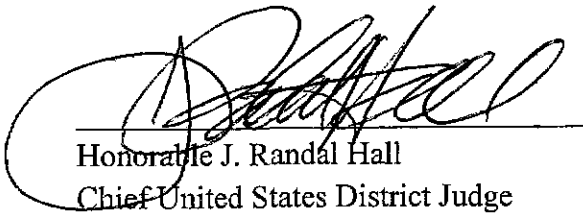
E. Responsibility for Maintaining Inventory

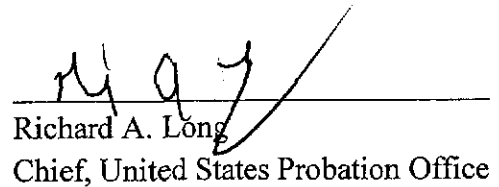
The responsibility for maintaining inventory rests with the DCS Custodial Officer. The Court Procurement Administrator and the CTO shall supervise the inventory duties of the Custodial Officer.

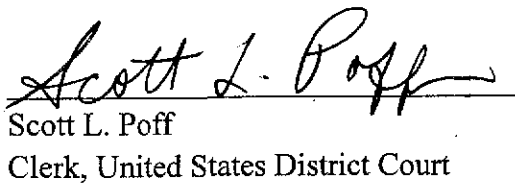
F. Disposal and Excessing of Government Property

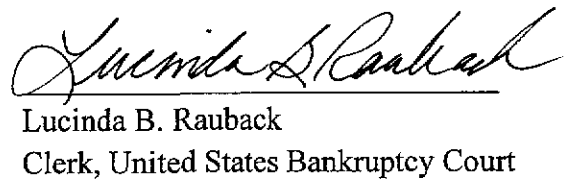
The disposal officer for the District Court shall serve as the disposal officer for the DCS under the procedures already in place for the Court.

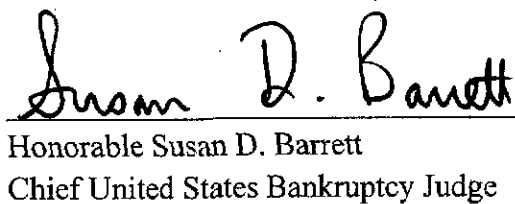
Signed and approved, this 1st day of September, 2017.

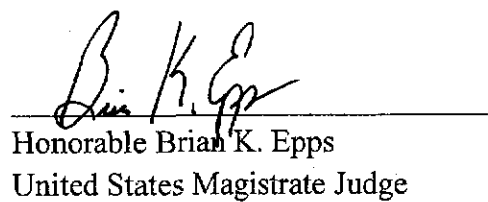

Honorable J. Randal Hall
Chief United States District Judge


Richard A. Long
Chief, United States Probation Office


Scott L. Poff
Clerk, United States District Court


Lucinda B. Rauback
Clerk, United States Bankruptcy Court


Honorable Susan D. Barrett
Chief United States Bankruptcy Judge


Honorable Brian K. Epps
United States Magistrate Judge